

REMARKS

Claims 1, 4, and 6-9 are pending. Claims 1, 4, and 6-8 stand rejected. Claim 9 has been deemed allowable but is objected to as being dependent from a rejected base claim.

In the Office Action, Claims 1, 4, and 6-8 were rejected under 35 U.S.C 102(e) as being anticipated by USPN 5,930,553 issued to Hirst.

Independent Claims 1 and 6 each recite a removable cartridge that includes memory programmed with “data set selection criteria for use in selecting from among the plurality of image enhancement data sets” (emphasis added).

Hirst discusses a printer consumable that includes a memory having a segment storing data such as a version number or manufacture date. Hirst, col. 3, lines 37-40 and Figure 2, item 19a. When the consumable is installed into the printer, the version number or manufacture date is compared with a version number or manufacture date previously stored by the printer. If the consumable has a newer version number or manufacture date, a code patch stored on the consumable’s memory such as a color table is installed on the printer. Hirst, col. 3, lines 34-54 and Figure 2. In short, Hirst’s version number or manufacture date is used to determine whether or not a code patch is going to be installed.

The Examiner mistakenly equates this memory segment (19a) with the data set selection criteria recited in Claims 1 and 6. Hirst does not teach or suggest that the version number or manufacture date is used to select from among a plurality of image enhancement data sets. Consequently, Hirst fails to teach or suggest data set selection criteria for use in selecting from among the plurality of image enhancement data sets one or more elements of independent Claims 1 and 6.

Okano fails to disclose such a computer readable medium as recited claim 1 and claim 4 which depends there from, or a removable cartridge for an image forming device as recited in claim 6 and claims 7-9 which depend there from.

As such, it is respectfully submitted that the pending claims are patentable over the cited art.

Respectfully submitted,
Eugene A. Roylance, et al.

By /Jack H. McKinney/
Jack H. McKinney
Reg. No. 45,685

October 9, 2006